

**Minutes of a meeting of Planning Committee A
held on Thursday, 11th April, 2019
from 7.00 pm - 8.15 pm**

Present: E Matthews (Chairman)
D Sweatman (Vice-Chair)

J Ash-Edwards	C Trumble	P Wyan
M Hersey	N Walker	
H Mundin	J Wilkinson	

Absent: Councillors G Marsh

Also Present: Councillors

**1. TO NOTE SUBSTITUTES IN ACCORDANCE WITH COUNCIL PROCEDURE
RULE 4 - SUBSTITUTES AT MEETINGS OF COMMITTEES ETC.**

None.

2. TO RECEIVE APOLOGIES FOR ABSENCE.

Apologies were received from Councillor Marsh.

**3. TO RECEIVE DECLARATIONS OF INTEREST FROM MEMBERS IN RESPECT OF
ANY MATTER ON THE AGENDA.**

None.

**4. TO CONFIRM THE MINUTES OF THE PREVIOUS MEETING HELD ON 17
JANUARY 2019.**

The minutes of the meeting of the Committee held on 17 January 2019 were agreed as a correct record and signed by the Chairman.

**5. TO CONSIDER ANY ITEMS THAT THE CHAIRMAN AGREES TO TAKE AS
URGENT BUSINESS.**

None.

**6. DM/18/3242 - MOUNT PLEASANT NURSERY, CANSIRON LANE, ASHURST
WOOD, EAST GRINSTEAD, RH19 3SE.**

Stuart Malcolm, Senior Planning Officer introduced the outline application for the demolition of the existing dwelling and dilapidated nursery buildings and construction of up to 6 dwellings with the creation of new access onto Cansiron Lane and the provision of a lay-by. He noted that the site lies just over 0.5km from the built-up area of Ashurst Wood, with a public right of way across the northern boundary and

Cansiron Lane itself being a bridleway. The application site is allocated for residential development in the Ashurst Wood Neighbourhood Plan. The 6 new dwellings would give a net increase of 5 dwellings on site, with the new access more centrally located and a lay-by to be used as a passing place. He noted that there would be some impact to trees on the site which are mainly category C but confirmed that 2 Oak trees referred to in the representations will be retained. There are no objections from the Highways Authority or the rights-of-way team and the ecological consultant is content with the measures put in place.

Councillor Jennie Forbes spoke in objection, as Chair of the Village Council Planning Committee, noting that although the Council supports development on the site they have concerns around the number of units proposed, the wording of conditions and the impact to the trees and bridleway.

Councillor John Belsey spoke as Ward Member in objection noting the 28 objections received and supporting the concerns of the Village Council. He wished to support the Ashurst Wood Neighbourhood Plan which originally allocated 3 units to the site and he raised concerns regarding construction traffic around school times. He also asked for the S106 monies to be used for projects within Ashurst Wood.

In response to questions from the speakers, the Senior Planning Officer confirmed that condition 3 and 4 are correct from a planning procedural perspective, with no reason for the wording to be the same due to the different nature of the content of the conditions. He also confirmed that any making-good of road damage during construction would be a private matter between the parties involved.

Regarding the S106 contributions, he drew Members attention to the proposals on p.34 of the report but confirmed that there is room for alternatives, subject to meeting the relevant tests, if Members wished to propose a different use.

A Member noted that the net gain of 5 units was addressed in the report in terms of reflecting the density of adjacent plots but he raised concern over the loss of trees, seeking clarification on the category of all trees to be felled. He also queried why the application was not considered under delegated powers due to the number of units involved.

The Senior Planning Officer confirmed that it was before the committee as officers felt that it would be prudent for the committee to determine given the number of objections and the Neighbourhood Plan allocation. Regarding the Neighbourhood Plan, he noted that the approximate capacity of 3 units on site is only referenced in the pretext of ASW5 and not in the actual policies of ASW5 or ASW7. Furthermore Policy ASW5 states that indicative numbers of dwellings for each site will be reviewed at the application stage. The criteria of ASW7 also says that a proposed development should respect the low density of existing dwellings in the immediate locality of the site, which this application accords to. Regarding the trees, he confirmed that there are 39 to be removed of which 2 are Category 'U', 28 are Category 'C' and 9 are Category 'B'. On p.26 of the report, the Tree Officer requests that like-for-like replacements are provided and in this case 45 trees will be replanted.

A Member expressed support for the application but requested that condition 6 relating to hedgerows be specifically considered at the next planning stage, if this application be approved. He also requested that S106 monies be allocated in conjunction with the Parish Council and Ward Member.

The Chairman took Members to recommendation to approve as set out in the report which was agreed unanimously.

RESOLVED

That planning permission is granted subject to the recommendations below:

Recommendation A

It is recommended that, subject to the completion of a satisfactory S106 planning obligation securing the necessary financial contributions towards infrastructure, SAMM mitigation and the inclusion of an appropriate affordable housing formula (including required Affordable Housing provisions), as set out in the Assessment section below, planning permission be granted subject to the conditions set out in Appendix A.

Recommendation B

It is recommended that if the applicants have not completed a satisfactory signed planning obligation securing the necessary infrastructure payments, SAMM mitigation and affordable housing formula by the 11th July 2019, 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, SAMM mitigation and affordable housing required to serve the development and as such conflicts with Policies DP17, DP20 and DP31 of the Mid Sussex District Plan as well as the Council's SPD's entitled 'Development Infrastructure and Contributions' and 'Affordable Housing'.

7. DM/18/4013 - LAND R/O WEST LODGE, TILTWOOD, HOPHURST LANE, CRAWLEY, RH10 4LL.

Susan Dubberley, Senior Planning Officer introduced the application for the proposed erection of 2 four bed detached houses and garages including the demolition of the existing garage. She drew Members attention to the amendments in the Agenda Update Sheet whereby the original recommendation is to be deleted and replaced with a new recommendation.

She drew Members attention to the main issue with the proposal as it is contrary to DP12 and DP15 in the District Plan, however she noted that other material considerations needed to be taken into account. The site is located on the already developed Tiltwood Estate with other planning permissions recently granted for properties designed by the same architect as the application being considered. Although it is located in the countryside, the layout is in keeping with the approved and existing development and would have no significant detrimental impact on the countryside.

Phillip Andrews spoke in support as the architect on behalf of the freeholders of West Lodge.

A Member voiced concerns about supporting an application that is contrary to policies in the District Plan as it sets a precedent for more applications to encroach in areas where they should not be permitted.

The Chairman drew Members attention to p.82 of the report noting that the houses would be seen in the context of the existing development and are in character with it, so this should be taken into consideration. The Senior Planning Officer also confirmed that a development can be outside the boundary providing it maintains the rural landscape character of the district.

The Chairman took Members to recommendation to approve as set out in the report which was agreed with 8 Members in favour and 1 against.

RESOLVED

That planning permission be granted subject to the following recommendations, as detailed in the Agenda Update Sheet:

Recommendation A

That planning permission be granted subject to the condition of a section 106 legal agreement to secure the necessary SAMM contributions and the conditions listed in the appendix.

Recommendation B

Recommend that if the applicants have not entered into a satisfactory section 106 agreement to secure the necessary SAMM payments by 11 July 2019 then the application should be refused at the discretion of the Divisional Lead for Planning and Economy for the following reason:

The proposal does not adequately mitigate the potential impact on the Ashdown Forest Special protection Area (SPA) and Special Area of Conservation (SAC) and would therefore be contrary to the Conservation and Habitats and Species Regulations 2010, policy DP17 of the District Plan and paragraph 118 of the National Planning Policy Framework.

8. DM/18/4020 - WEBSTER HOUSE, WHITEMANS GREEN, CUCKFIELD, HAYWARDS HEATH, RH17 5HX.

Andrew Morrison, Senior Planning Officer introduced the outline application for the proposed terrace of 3 attached cottages and associated storage sheds with new access from the site onto Whiteman's Green and drew Members attention to the Agenda Update Sheet which list plans that should not be considered as part of this application.

He noted that the site is just outside the built-up area boundary for Cuckfield and also outside of the Whiteman's Green Conservation Area. It is in designated countryside and the High Weald Area of Natural Beauty. As the character of the site is not of a rural nature and it is close to the built-up boundary with access to a good range of services, the adverse impact to the conservation area is considered minor in comparison to the benefit of providing 3 small dwellings.

As there were no public speakers or Members wishing to comment, the Chairman took Members to recommendation to approve as set out in the report which was agreed unanimously.

RESOLVED

That planning permission be granted subject to the conditions set out in Appendix A

9. DM/19/0279 - ROYAL MAIL HASSOCKS DELIVERY OFFICE, 36 KEYMER ROAD, HASSOCKS BN6 8AA.

Steve Ashdown, Team Leader - Major Development & Investigations introduced the application for the part demolition and conversion to create 189m sq. of A1 retail floorspace on the ground floor with 2 x 2 bedroom flats, 2 x 1 bedroom flats and 1 x 3 bedroom flat on the first and second floor above, 5 x 3 bedroom town-houses with gardens and 10 parking spaces.

He confirmed that the principle of the development is acceptable with no objections from the statutory consultees. It is also acceptable in terms of neighbourhood amenity and highways and offers a good standard of accommodation. It is also in accordance with the Development Plan and relevant policies in the NPPF.

As there were no public speakers, the Chairman took Members to recommendation to approve as set out in the report which was agreed unanimously.

RESOLVED

That planning permission is granted subject to the recommendations below:

Recommendation A

It is recommended that planning 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

It is recommended that if the applicants have not submitted a satisfactory signed planning obligation securing the necessary infrastructure payments by the 11 July 2019, then it is recommended that permission be refused at the discretion of the Divisional Lead for Planning and Economy, for the following reason:

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

10. TP/18/0008 - 15 ROMAINE CLOSE, BURGESS HILL, WEST SUSSEX, RH15 0NS.

Steve Ashdown, Team Leader - Major Development & Investigations introduced the application to confirm a new Tree Preservation Order (TPO) covering one silver birch located within the garden of 15 Romaine Close. As it is one of only 2 trees in the road, it is considered to have significant public amenity.

As there were no public speakers or Members wishing to comment, the Chairman took Members to recommendation to approve the Order as set out in the Report which was agreed unanimously.

RESOLVED

That the Order is confirmed.

11. QUESTIONS PURSUANT TO COUNCIL PROCEDURE RULE 10 DUE NOTICE OF WHICH HAS BEEN GIVEN.

None.

At the conclusion of the formal business of the Committee, the Vice-Chairman noted that this would be the last Committee chaired by Councillor Matthews, who would not be standing for re-election in May, after 24 years as a District Councillor. He thanked the Chairman for his support noting that it had been a privilege to serve as Vice-Chairman on his committee. This sentiment was reiterated by the Vice-Chairman of the District Planning Committee.

The Chairman wished the Members well, and thanked the Officers for their excellent advice over the years.

The meeting finished at 8.15 pm

Chairman